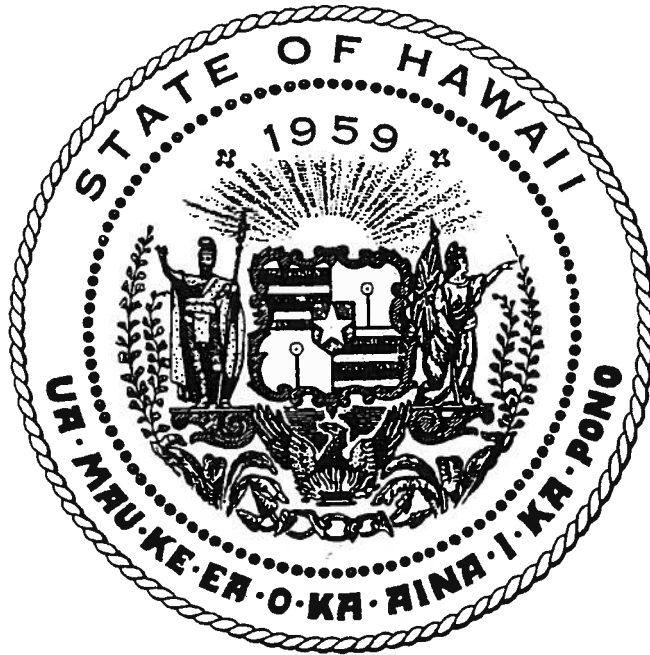


STATE OF HAWAII

FIRE CODE



STATE FIRE COUNCIL

DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

Repeal of Chapter 12-45.1
Hawaii Administrative Rules

SUMMARY

Chapter 12-45.1, Hawaii Administrative Rules, entitled "State Fire Code", is repealed.

TITLE 12
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
CHAPTER 45.1
STATE FIRE CODE

Repealed

§§12-45.1-1 to 12-45.1-117 Repealed. [JAN 01 2010]

DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

Adoption of Chapter 12-45.2
Hawaii Administrative Rules

SUMMARY

Chapter 12-45.2, Hawaii Administrative Rules, entitled "State Fire Code", is adopted.

HAWAII ADMINISTRATIVE RULES

TITLE 12

DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

SUBTITLE 7

BOARDS

CHAPTER 45.2

STATE FIRE COUNCIL

STATE FIRE CODE

Subchapter 1 Rules of General Applicability

§12-45.2-1	Purpose
§12-45.2-2	Scope
§12-45.2-3	Definitions
§12-45.2-4	Adoption of the 2006 NFPA 1, <i>Uniform Fire Code</i> .
§12-45.2-5	Permit authorization

Subchapter 2 Amendments to the 2006 NFPA 1, *Uniform Fire Code*

§12-45.2-6	Title
§12-45.2-7	Conflicts
§12-45.2-8	Building code
§12-45.2-9	General
§12-45.2-10	Inspection
§12-45.2-11	Investigations
§12-45.2-12	Appeals
§12-45.2-13	Records and reports
§12-45.2-14	Permit required
§12-45.2-15	Certificate of fitness
§12-45.2-16	Plan Review
§12-45.2-17	Building code
§12-45.2-18	Electrical code
§12-45.2-19	Mechanical code
§12-45.2-20	Plumbing code

§12-45.2-21	Definitions and abbreviations
§12-45.2-22	Maintenance
§12-45.2-23	Means of egress
§12-45.2-24	Occupancy classification
§12-45.2-25	Separated occupancies
§12-45.2-26	Required separation of occupancies
§12-45.2-27	Occupancy separations
§12-45.2-28	Fire resistance ratings
§12-45.2-29	Occupancy separations
§12-45.2-30	Fundamental requirements
§12-45.2-31	Life safety code
§12-45.2-32	Building code
§12-45.2-33	Unsafe buildings
§12-45.2-34	On-premise firefighting
§12-45.2-35	Fire watch
§12-45.2-36	Open fires
§12-45.2-37	Open fires
§12-45.2-38	Special outdoor events
§12-45.2-39	Commercial cooking equipment
§12-45.2-40	Elevators, escalators and conveyors
§12-45.2-41	Maintenance
§12-45.2-42	Emergency command center
§12-45.2-43	General
§12-45.2-44	Identification
§12-45.2-45	General
§12-45.2-46	Installation acceptance testing
§12-45.2-47	Inspection and testing
§12-45.2-48	Responsibility
§12-45.2-49	Records
§12-45.2-50	Smoke-control systems
§12-45.2-51	Required installations
§12-45.2-52	Fire department connections
§12-45.2-53	Required installations
§12-45.2-54	General
§12-45.2-55	All occupancies except dwellings and lodging occupancies
§12-45.2-56	Existing assembly occupancies
§12-45.2-57	Existing educational occupancies
§12-45.2-58	Existing health care occupancies
§12-45.2-59	Existing detention and correctional facilities
§12-45.2-60	Hotels and apartment occupancies
§12-45.2-61	Existing hotels and dormitories
§12-45.2-62	Existing residential board and care facilities
§12-45.2-63	Mercantile and storage occupancies
§12-45.2-64	Existing mercantile occupancies

§12-45.2-65	Existing high-rise buildings
§12-45.2-66	Positive alarm sequence
§12-45.2-67	Fire alarm system modified positive alarm sequence
§12-45.2-68	Audibility
§12-45.2-69	General
§12-45.2-70	Existing apartment buildings
§12-45.2-71	Existing mercantile occupancies
§12-45.2-72	Existing business occupancies
§12-45.2-73	Fire department communication system
§12-45.2-74	Manual fire alarm boxes
§12-45.2-75	Application
§12-45.2-76	Additional doors
§12-45.2-77	Latch
§12-45.2-78	Determination of occupant load
§12-45.2-79	Occupant load factor
§12-45.2-80	Occupant load factor
§12-45.2-81	Mall building occupant load factors
§12-45.2-82	Occupant load increases
§12-45.2-83	Egress capacity
§12-45.2-84	Capacity factors
§12-45.2-85	Elevator identification
§12-45.2-86	Outdoor fires
§12-45.2-87	Special hazards
§12-45.2-88	Dimensions
§12-45.2-89	Turning radius
§12-45.2-90	Bridges
§12-45.2-91	Grade
§12-45.2-92	Required water supply for fire protection
§12-45.2-93	Required installations
§12-45.2-94	Testing
§12-45.2-95	Testing and maintenance
§12-45.2-96	Nonmetallic containers
§12-45.2-97	Decorative materials
§12-45.2-98	Amusement buildings
§12-45.2-99	Plan of exit ways and aisles
§12-45.2-100	Overcrowding
§12-45.2-101	Open-flame devices and pyrotechnics
§12-45.2-102	Open-flame devices and pyrotechnics
§12-45.2-103	Fire drills
§12-45.2-104	Use of school facilities for sleeping
§12-45.2-105	Manufactured housing
§12-45.2-106	Emergency command center
§12-45.2-107	Scope
§12-45.2-108	Fireworks

§12-45.2-109	Application
§12-45.2-110	Permit authorizing individual
§12-45.2-111	Permit authorizing individual
§12-45.2-112	Guard posts
§12-45.2-113	Emergency electrical disconnects
§12-45.2-114	Occupancy classification
§12-45.2-115	Means of egress
§12-45.2-116	Age limitation
§12-45.2-117	Foreign objects
§12-45.2-118	Sources of ignition
§12-45.2-119	Signs
§12-45.2-120	Latch-open device
§12-45.2-121	Latch-open device
§12-45.2-122	Materials
§12-45.2-123	Operations and maintenance
§12-45.2-124	Permits
§12-45.2-125	Facility closure
§12-45.2-126	Hazardous materials management plan
§12-45.2-127	Available
§12-45.2-128	Hazardous materials inventory statement
§12-45.2-129	Protection from vehicles
§12-45.2-130	Protection from vehicles
§12-45.2-131	Special information for permit application
§12-45.2-132	Separation of occupancies of high hazard
§12-45.2-133	Mechanical exhaust
§12-45.2-134	Supply and exhaust openings
§12-45.2-135	Remote containment
§12-45.2-136	Permits
§12-45.2-137	Tank vehicles
§12-45.2-138	Seizure of fireworks
§12-45.2-139	Prohibition
§12-45.2-140	Permits
§12-45.2-141	Minors
§12-45.2-142	Plan
§12-45.2-143	Permits and plans
§12-45.2-144	Tanks abandoned in place
§12-45.2-145	Manufacturing plants

Historical Note: Chapter 12-45.1 is based substantially upon chapter 12-45, subchapter 1. [Eff 6/6/86; am and comp 8/13/87; am and comp 4/18/92;R]

SUBCHAPTER 1

RULES OF GENERAL APPLICABILITY

§12-45.2-1 Purpose. The purpose of this chapter is to adopt the state fire code as required by section 132-3, Hawaii Revised Statutes (HRS). [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-2 Scope. This chapter sets forth minimum requirements relative to the protection of persons and property from fire loss. [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-3 Definitions. In this chapter, unless the context otherwise requires:

"Annex" means the annex attached to the NFPA 1, Uniform Fire Code.

"Authority having jurisdiction" (AHJ) means an organization, office, or individual responsible for enforcing the requirements of a code or standard, or for approving equipment, materials, an installation, or a procedure.

"Chapter" means chapter of the NFPA 1, UFC.

"Building code" means the currently adopted, respective county building code.

"NFPA" means the National Fire Protection Association.

"Section" means a section of a chapter of the NFPA 1, UFC.

"NFPA 1, UFC" means the NFPA 1, *Uniform Fire Code*, 2006 edition, as copyrighted by the National Fire Protection Association.

[Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-4 Adoption of the NFPA 1, Uniform Fire Code.

The NFPA 1, *Uniform Fire Code*, 2006 edition is made a part of this chapter, subject to the amendments provided in this chapter. The annexes to the NFPA 1, *UFC* are not adopted except as provided in this chapter. [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-5 Permit authorization. Each county may, by ordinance, require that a permit be obtained from the AHJ for any area regulated by this chapter. [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

SUBCHAPTER 2
AMENDMENTS TO THE NFPA 1, UFC

§12-45.2-6 Title. Section 1.1.2 is amended to read as follows:
"This code shall be known as the State Fire Code, may be cited as
such, and will be referred to in this chapter as this code." [Eff
JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-7 Conflicts. Section 1.3.3 is amended by adding a
new subsection to read as follows: "1.3.3.3 When a conflict occurs in
the requirements for design and construction for new construction of
buildings between this code and the building code, the building code
shall apply.

Exception: This code does apply to new construction when this
code is specifically referenced from the building code." [Eff
JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-8 Building code. Section 1.3.6.3 is amended to
read as follows: "1.3.6.3 Repairs, renovations, alterations,
reconstruction, change of occupancy, and additions to buildings shall
conform with the building code." [Eff JAN 01 2010]
(Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-9 General. Section 1.6 is amended to read as
follows: "The general powers and duties of the AHJ are set forth in
chapter 132, HRS." [Eff JAN 01 2010] (Auth: HRS §132-
3)(Imp: HRS §132-3)

§12-45.2-10 Inspection. Section 1.7.6 is amended to read as
follows: "Inspections are authorized by and shall be made in
accordance with sections 132-5 and 132-6, HRS." [Eff
JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-11 Investigations. Section 1.7.10 is amended to
read as follows: "Investigations are authorized by and shall be made in
accordance with section 132-3, HRS." [Eff JAN 01 2010]
(Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-12 Appeals. Section 1.10 is amended to read as
follows: "Each county shall establish, by ordinance, a county fire

appeals board, hereinafter called the board, as required by section 132-6(f), HRS." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-13 Records and reports. Section 1.11 is amended by adding a new subsection 1.11.5 to read as follows: "Upon the AHJ's request, every company or agent transacting the business of fire insurance in this State shall be required to file with the AHJ in each county a monthly record of fire losses paid or incurred on forms prescribed, permitted, or furnished by the AHJ. These forms shall contain information on each fire loss such as the name of the insured, name of the adjuster, date and time of fire, construction of building or structure burned, amount of insurance paid, and apportionment of the loss where more than one company insured the risk.

The current National Fire Incident Reporting System (NFIRS) report forms may be used." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-14 Permit required. Section 1.12.20 and Tables 1.12.20(a)-(d) are deleted in their entirety. [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-15 Certificate of fitness. Section 1.13 is deleted in its entirety. [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-16 Plan review. Section 1.14 is deleted in its entirety. [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-17 Building code. Section 3.3.45.1 is amended to read as follows: "3.3.45.1 Building Code. The building code is the building code adopted by the county." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-18 Electrical code. Section 3.3.45.2 is amended to read as follows: "3.3.45.2 Electrical Code. The electrical code is the electrical code adopted by the county." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-19 Mechanical code. Section 3.3.45.3 is amended to read as follows: "3.3.45.3 Mechanical Code. The mechanical code is the mechanical code adopted by the county." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-20 Plumbing code. Section 3.3.45.4 is amended to read as follows: "3.3.45.4 Plumbing Code. The plumbing code is the plumbing code adopted by the county." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-21 Definitions and abbreviations. Section 3.3.208 is amended by adding a new subsection 3.3.208. 5 to read as follows: "**modified positive alarm sequence** is an automatic sequence that results in an alarm signal in designated portions of the building or facility." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-22 Maintenance. Section 4.5.8.1 is amended to read as follows: "4.5.8.1 Whenever or wherever any device, equipment, system, condition, arrangement, level of protection, fire-resistive construction, or any other feature is required for compliance with the provisions of this Code, such device, equipment, system, condition, arrangement, level of protection, fire-resistive construction, or other feature shall thereafter be continuously maintained in accordance with applicable NFPA requirements and the building code or requirements developed as part of a performance-based design, or as directed by the AHJ." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-23 Means of egress. Section 5.3.4 is amended to read as follows: "5.3.4 Means of Egress. The design shall comply with the following building code requirements in addition to the performance criteria of Section 5.2 and the methods of Section 5.4 through Section 5.7:

1. Changes in level in means of egress: Building Code
2. Guards: Building Code
3. Doors: Building Code
4. Stairs: Building Code
5. Ramps: Building Code

6. Fire escape ladders: Building Code
 7. Alternating tread devices: Building Code
 8. Capacity of means of egress: Building Code
 9. Impediments to egress: Building Code
 10. Illumination of means of egress: Building Code
 11. Emergency lighting: Building Code
 12. Marking of means of egress: Building Code.”
- [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-24 Occupancy classification. Section 6.1.1.1 is amended to read as follows: “6.1.1.1 Occupancy Classification. For the purposes of enforcing this code, the occupancy of a building or structure, or portion of a building or structure, shall be classified in accordance with 6.1.2 through 6.1.13. Occupancy classification shall be subject to the ruling of the AHJ where there is a question of proper classification in any individual case.” [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-25 Separated occupancies. Section 6.1.14.4.1 is amended to read as follows: “6.1.14.4.1 Where separated occupancies are provided, each part of the building comprising a distinct occupancy, as described in this chapter, shall be completely separated from other occupancies by fire-resistive assemblies as specified in the building code.” [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-26 Required separation of occupancies. Tables 6.1.14.4.1 (a) and 6.1.14.4.1 (b) are deleted in their entirety. [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-27 Occupancy separations. Section 6.1.14.4.2 is amended to read as follows: “6.1.14.4.2 Occupancy separations shall be classified in accordance with the building code and comply with all the requirements for walls separating occupancies in accordance with the building code.” [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-28 Fire resistance ratings. Section 6.1.14.4.3 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-29 Occupancy separations. Section 6.1.14.4.4 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-30 Fundamental requirements. Section 10.1.1 is amended to read as follows: "10.1.1 Every building or structure shall be arranged, equipped, maintained, and operated in accordance with this *Code* so as to provide a reasonable level of life safety, property protection, and public welfare from the actual and potential hazards created by fire, explosion, and other hazardous conditions." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-31 Life safety code. Section 10.1.2 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-32 Building code. Section 10.1.3 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-33 Unsafe buildings. Section 10.2.3 is amended by adding a sentence at the end to read as follows: "For abatement of unsafe buildings, see the building code." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-34 On-premise firefighting. Section 10.7.1.2 is amended to read as follows: "10.7.1.2 Facilities that have established on-premises fire-fighting organizations and have coordinated and arranged procedures approved by the AHJ shall notify the fire department in accordance with the approved plan." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-35 Fire watch. Section 10.8.1.1 is amended by adding a sentence at the end to read as follows: "A fire watch shall be required as specified in Sections 13.3.4.3.5.2(3), 13.7.1.4.4, 16.5.4, 20.2.3.6, 34.6.3.3, 41.2.2.5, 41.2.2.6, 41.2.4, 41.3.4, 41.4.1,

34.5.4.3 and 25.1.8 at no cost to the AHJ." [Eff JAN 01 2010]
(Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-36 Open fires. Section 10.11.1 is amended to read as follows: "Section 10.11.1 Open Fires in Counties. Control of the following fires shall be established by each county:

1. Fires for cooking of food.
2. Fires for recreational, decorative, or ceremonial purposes.
3. Fires to abate a fire hazard.
4. Fires for prevention or control of disease or pests.
5. Fires for training of fire fighting personnel.
6. Fires for disposal of dangerous materials.
7. Fires for residential bathing purposes.

Except for closed incinerators approved by the state health department, private incineration is prohibited by state health laws. Clearance by the state health department for and notification of all agricultural fires either by telephone or written notice shall be on file with the AHJ before these fires are permitted." [Eff JAN 01 2010]
(Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-37 Open fires. Section 10.11.2.1 is amended to read as follows: "10.11.2.1 Open fires shall be located not less than 50 ft (15 m) from any structure." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-38 Special outdoor events. Section 10.15.2 is amended to read as follows: "10.15.2 The AHJ shall be authorized to regulate all outdoor events such as carnivals and fairs as it pertains to access for emergency vehicles; access to fire protection equipment; placement of stands, concession booths, and exhibits; and the control of hazardous conditions dangerous to life and property." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-39 Commercial cooking equipment. Section 11.2 is amended to read as follows: "11.2 Commercial Cooking Equipment. Commercial cooking equipment shall be in accordance with Chapter 50, unless such installations are approved existing installations, which shall be permitted to be continued in service." [Eff JAN 01 2010]
(Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-40 Elevators, escalators, and conveyors. Section 11.3 is amended to read as follows: "11.3 Elevators, Escalators, and Conveyors.

11.3.1 Elevator Testing. Elevators shall be subject to periodic inspections and tests as specified in ASME A17.1, Safety Code for Elevators and Escalators. All elevators equipped with fire fighters' emergency operations shall be subject to a monthly operation with a written record of the findings made and kept on the premises as required by ASME A17.1.

11.3.2 Openings. Conveyors, elevators, dumbwaiters, and pneumatic conveyors serving various stories of a building shall not open to an exit." [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-41 Maintenance. Section 11.6.2 is amended to read as follows: "11.6.2 Maintenance. Rubbish chutes, laundry chutes, and incinerators shall be maintained in accordance with NFPA 82, *Standard on Incinerators and Waste and Linen Handling Systems and Equipment*, unless such installations are approved existing installations, which shall be permitted to be continued in service." [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-42 Emergency command center. Section 11.9 is amended to read as follows: "11.9 Emergency Command Center. Where required by the building code, emergency command centers shall comply with Section 11.9." [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-43 General. Section 12.1 is amended to read as follows: "12.1 General. This chapter shall apply to existing, permanent, or temporary buildings. The provisions of this chapter shall not apply to new construction. For new construction see the building code. Existing buildings shall be maintained to meet the requirements of the building code in effect at the time the structure was built." [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-44 Identification. Section 12.4 is amended by adding a new subsection 12.4.6 to read as follows: "12.4.6 Identification. When required by the AHJ, a sign shall be displayed

permanently near or on each required fire door in letters not less than 1 inch (25.4 mm) high to read as follows:

**FIRE DOOR
DO NOT OBSTRUCT
or
FIRE DOOR
KEEP CLOSED**

The sign shall not be amended without authorization of the AHJ." [Eff
JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-45 General. Section 13.1 is amended by adding a new first paragraph and exception to read as follows: "13.1 General. The provisions of this chapter for new construction do not apply. For new construction see the building code. Existing buildings shall be maintained to the building code to which it was built unless specifically indicated it applies to existing facilities.

Exception: When the building code does not require fire alarm systems, fire alarm systems shall be required according to Section 13.7. When the building code does require a fire alarm system, the requirements of the building code shall apply." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-46 Installation acceptance testing. Section 13.1.1 is amended by adding a second paragraph to read as follows: "Fire alarm systems; fire hydrant systems; fire-extinguishing systems; standpipes; and other fire-protection systems and appurtenances required by this code shall be approved by the AHJ as to installation and location and shall be subject to acceptance tests required by the appropriate county agency." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-47 Inspection and testing. Section 13.1.1 is amended by adding a third paragraph to read as follows: "A copy of a system's unsatisfactory inspection and maintenance test report shall be submitted to the AHJ within five (5) working days after the completion of the test." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-48 Responsibility. Section 13.1.2 is amended to read as follows: "The building or facility owner shall be responsible for the maintenance of fire sprinkler systems, private fire hydrant systems, standpipe systems, fire alarm systems, emergency alarm systems, portable fire extinguishers, smoke and heat ventilators, smoke-removal systems and other fire-protection or fire-extinguishing systems.

The owner of a high-rise building shall be responsible for assuring that the fire- and life-safety systems required by the building code are maintained in an operable condition at all times. A written record of the test reports verifying the operational status of these types of systems shall be maintained and shall be made available to the AHJ, upon request." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-49 Records. Section 13.1.5 is amended to read as follows: "Detailed records documenting all systems and equipment testing, inspections and maintenance shall be kept by the property owner and shall be made available upon request for review by the AHJ." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-50 Smoke-control systems. Section 13.1, Smoke-control systems, is amended by adding a new subsection 13.1.12 to read as follows: "Mechanical smoke-control systems, such as those in high-rise buildings, buildings containing atria, covered mall buildings and mechanical ventilation systems utilized in smokeproof enclosures and for smoke-removal systems utilized in high-piled combustible storage occupancies, shall be maintained in an operable condition at all times. A written record of the test reports verifying the operational status of these types of systems shall be maintained and shall be made available to the AHJ, upon request." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-51 Required installations. Section 13.2.2.1 is amended to read as follows: "Standpipe systems shall be provided as set forth in the building code." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

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§12-45.2-52 Fire department connections (FDC). Section 13.2.2.2 is amended to read as follows: "Fire department hose connections shall be located within 20 feet of a fire apparatus access road, not less than 18 inches and not more than 4 feet above grade, or as approved by the AHJ. Appropriate identification signs shall be provided as required by the AHJ." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-53 Required installations. Section 13.2.2.3 is deleted in its entirety. [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-54 General. Section 13.3.1.2 is amended by adding a new subsection to read as follows: "13.3.1.2.1 Fire department hose connections shall be located within 20 feet of a fire apparatus access road, not less than 18 inches and not more than 4 feet above grade, or as approved by the AHJ. Appropriate identification signs shall be provided in a location(s) approved by the AHJ." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-55 All occupancies except dwellings and lodging occupancies. Section 13.3.2.2 is amended to read as follows: "In every story or basement of all buildings when the floor area exceeds 1,500 square feet and there is not provided at least 20 square feet of opening entirely above the adjoining ground level in each 50 lineal feet or fraction thereof of exterior wall in the story or basement on at least one side of the building. Each of the required 20 square feet of opening shall have at least one opening with minimum dimensions of 3 feet by 4 feet. Such required openings shall be unobstructed by sunshades, louvers, grillwork, or other construction on the exterior wall which will prevent or hinder access to the openings by the fire department personnel." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-56 Existing assembly occupancies. Section 13.3.2.6 is deleted in its entirety. [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-57 Existing educational occupancies. Section 13.3.2.8 is deleted in its entirety. [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-58 Existing health care occupancies. Section 13.3.2.10 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-59 Existing Detention and Correctional facilities. Section 13.3.2.12 is deleted in its entirety. [Eff] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-60 Hotels and apartment occupancies. Sections 13.3.2.13.1 and 13.3.2.15.1 are amended to read as follows: "An automatic sprinkler system shall be installed throughout every apartment house over one story and containing 17 or more dwelling units, every congregate residence over one story and having an occupant load of 50 or more, and every hotel over one story and containing 20 or more guest rooms. Residential or quick-response sprinkler heads shall be used in the dwelling unit and guest room portions of the building." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-61 Existing hotels and dormitories. Section 13.3.2.14 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-62 Existing residential board and care facilities. Section 13.3.2.20 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-63 Mercantile and storage occupancies. Sections 13.3.2.21.1 and 13.3.2.25.1 are amended by adding a second paragraph at the end of each section to read as follows: "In a one-story building for Mercantile or Storage occupancies requiring an automatic sprinkler system, a metal plate sign stating the maximum storage height allowable for the installed sprinkler system shall be placed next to the main shutoff valve of the automatic sprinkler riser." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-64 Existing mercantile occupancies. Section 13.3.2.22 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-65 Existing high-rise buildings. Section 13.3.2.24.2 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-66 Positive alarm sequence. Section 13.7.1.4.9.4 is amended to read as follows: "13.7.1.4.9.4. When approved by the AHJ and where permitted by Chapter 11 through Chapter 42 of NFPA 101, a positive alarm sequence shall be permitted, provided that it is in accordance with NFPA 72." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-67 Fire alarm system modified positive alarm sequence. Section 13.7.1.4.9.4 is amended by adding a new subsection to read as follows: "13.7.1.4.9.4.1 Buildings or facilities shall meet all of the following requirements for a positive alarm sequence:

1. An automatic fire sprinkler system installed in conformance with the building code shall be provided throughout the building or facility.
2. Written fire emergency procedures and an evacuation plan for the building or facility shall be reviewed by the AHJ prior to approval testing. The procedures and plan shall include, but not be limited to, immediate notification to the fire department, use of primary and secondary exits, use of fire protection appliances for the building(s) or facility(ies)
3. Trained personnel shall respond to emergencies on a 24-hour basis. The staff shall be instructed in fire emergency procedures and the use and operation of in-house fire appliances. Documentation of such training shall be maintained and filed on the premises.
4. Immediate notification of the fire department shall take place upon activation of any fire alarm initiating device.
5. If an initiating device of the fire alarm system is activated, acknowledgement at the control unit by trained personnel shall be accomplished within 15 seconds in order to initiate the alarm investigation phase. If the signal is not acknowledged within 15 seconds, all building or facility and remote signals shall be activated immediately and automatically (general alarm).
6. If an initiating device of the fire alarm system is activated, all notification devices in that zone shall be activated. The zone

notification shall include the floor of, the floor above and the floor below the activated device. The zone notification areas may be modified with the approval of the AHJ. This zone notification shall be for a maximum of three (3) minutes, during which trained personnel shall initiate the alarm investigation phase, communicate their findings immediately to the fire department, and reset the system if appropriate. After three (3) minutes, or an activation of any other initiating device(s), the fire alarm system shall be activated immediately and automatically for the entire building or facility (general alarm). At no time shall the fire alarm system be silenced until verification of the alarm is accomplished.

7. The fire alarm system shall provide a means to bypass the positive alarm sequence and immediately activate the general alarm for the entire building or facility.
8. The AHJ shall conduct a test of the positive alarm sequence prior to implementation.
9. The AHJ may disapprove or rescind approval of the positive alarm sequence of the fire alarm system if all of the above requirements are not met and shall require the fire alarm system to be reprogrammed to meet a general alarm notification at the owner's expense." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-68 Audibility. Section 13.7.1.4.9.8 is amended to read as follows: "The alarm signal shall be a distinctive sound, which is not used for any other purpose other than the fire alarm. Alarm-signaling devices shall produce a sound that exceeds the prevailing equivalent sound level in the room or space by 15 decibels minimum, or exceeds any maximum sound level with a duration of 60 seconds minimum by 5 decibels minimum, whichever is louder. Sound levels for alarm signals shall be 120 decibels maximum." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-69 General. Sections 13.7.2.3.1 and 13.7.2.4.1 are amended by adding a second paragraph to each subsection to read as follows: "Fire alarm systems shall be tested and logged monthly."

Sections 13.7.2.3.1 and 13.7.2.4.1 are also amended by adding a paragraph to read: "An annunciator panel shall be provided in the office of each school." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-70 Existing apartment buildings. Sections 13.7.2.12.1, 13.7.2.12.2, 13.7.2.13 and 13.7.2.13.1 are deleted in their entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-71 Existing mercantile occupancies. Section 13.7.2.18 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-72 Existing business occupancies. Section 13.7.2.20 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-73 Fire department communication system. Section 13.7.2.27.2.2 is amended to read as follows: "A two-way, fire department communication system approved by the AHJ shall be provided for fire department use. A jack or plug receptacle shall be located at the following locations:

1. The emergency command center/central location approved by the AHJ.
2. The designated fire service elevator(s)
3. Each elevator lobby on each floor of the building.
4. Emergency and standby power rooms.
5. The stairwell side of each exit into each required stairway.

The height of the jack or plug receptacle shall be not more than 5 feet and not less than 3 feet above floor level. Portable hand sets in compliance with the following provisions shall be provided by the building owner or management for fire department use:

1. Not less than 10 approved-type portable hand sets shall be stored and maintained in the central control station.
2. Length of cord for portable hand sets shall be provided as recommended and approved by the AHJ.
3. Hand sets approved by the AHJ shall be maintained in an operative condition at all times and shall be replaced or repaired when found to be defective." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-74 Manual fire alarm boxes. Section 13.7.3.3.6 is amended to add a new sentence at the end to read as follows: "The location of manual fire alarm boxes may be modified by the AHJ." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-75 Application. Section 14.1 is amended to read as follows: "14.1 Application. Means of egress in existing buildings shall comply with this *Code*. The provisions of this chapter do not apply for new construction. For new construction see the building code. Existing buildings shall be maintained to meet the requirements of the building code at the time the structure was built, unless specifically indicated for existing facilities. Provisions in this chapter are provided for maintenance purposes.

Exception: Stairway marking requirements set forth in Section 14.6.4.1 shall apply to new and existing construction." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-76 Additional doors. Section 14.5.1.6 is amended by adding an exception at the end to read as follows: "**EXCEPTION:** Double-acting screen doors used in conjunction with exit doors having panic hardware in school cafeteriums do not need to comply with this provision." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-77 Latch. Section 14.5.2 is amended by adding a new subsection to read as follows: "14.5.2.12 In accordance with the building code, security gates may be permitted across corridors or passageways in school buildings if there is a readily visible durable sign on or adjacent to the gate, stating 'THIS GATE IS TO REMAIN SECURED IN THE OPEN POSITION WHENEVER THIS BUILDING IS IN USE'. The sign shall be in letters not less than one inch high on a contrasting background. The use of this exception may be revoked by the building official for due cause." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-78 Determination of occupant load. Section 14.8.1 is amended by adding a new subsection to read as follows: "14.8.1.7 The number of persons in a building or portion thereof shall not exceed the amounts determined as specified in the building code." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-79 Occupant Load Factor. Section 14.8.1.2 is amended to read as follows: "14.8.1.2* Occupant Load Factor. The occupant load in any building or portion thereof shall be not less than the number of persons determined by dividing the floor area assigned to that use by the occupant load factor for that use as specified in the building code." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-80 Occupant load factor. Table 14.8.1.2 is deleted in its entirety. [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-81 Mall building occupant load factors. Figures 14.8.1.2 (a) and (b) are deleted in their entirety. [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-82 Occupant load increases. Section 14.8.1.3.1 is amended to read as follows: "14.8.1.3.1 When approved by the AHJ, the occupant load in any building or portion thereof shall be permitted to be increased from the occupant load established for the given use in accordance with Section 14.8.1.2 where all other requirements of this Code are also met, based on such increased occupant load." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-83 Egress capacity. Section 14.8.3.1 is amended to read as follows: "14.8.3.1 Egress capacity for approved components of means of egress shall be based on the capacity factors shown in the building code." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-84 Capacity factors. Table 14.8.3.1 is deleted in its entirety. [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-85 Elevator identification. Section 14.14.6.5.3 is amended by adding a new subsection to read as follows:
"14.14.6.5.3.3 At all elevator locations on each floor level above and below the floor of exit discharge, there shall be displayed in a conspicuous location a sign reading: 'IN CASE OF FIRE USE EXIT STAIRWAYS. DO NOT USE ELEVATORS'. Lettering shall be not less than 5/8-inch high.

EXCEPTION: Signs at least 2-3/4-inches X 2-1/4-inches in overall size with legible wording and approved by the AHJ, may be used as an alternate and shall be affixed at each elevator call button assembly.

Elevator service companies shall have their name and telephone number in the elevator key box." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-86 Outdoor fires. Section 17.3.4.7.1 is amended to read as follows: "17.3.4.7.1* Outdoor fires shall not be built, ignited, or maintained in or upon hazardous fire areas, without approval from the AHJ." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-87 Special hazards. Section 18.1 is amended by adding a paragraph at the end of the section to read as follows: "For occupancies of an especially hazardous nature, or where special hazards exist in addition to the normal hazard of the occupancy, or where access for fire apparatus is unduly difficult, or areas where there is an inadequate fire flow, or inadequate fire hydrant spacing, the AHJ may require additional safeguards including, but not limited to, additional fire appliance units, more than one type of appliance, or special systems suitable for the protection of the hazard involved." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-88 Dimensions. Sections 18.2.3.4.1.1 and 18.2.3.4.1.2 are amended to read as follows: "The unobstructed width and unobstructed vertical clearance of a fire apparatus access road shall meet county requirements." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-89 Turning radius. Section 18.2.3.4.3.1 is amended to read as follows: "The turning radius of a fire apparatus access road shall meet county requirements." [Eff **JAN 01 2010**] (Auth: HRS §132-3) (Imp: HRS §132-3)

§12-45.2-90 Bridges. Section 18.2.3.4.5.1 is amended to read as follows: "When a bridge is required to be used as part of a fire apparatus access road, it shall be constructed and maintained in accordance with county requirements." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-91 Grade. Section 18.2.3.4.6 is amended to read as follows: "The gradient for a fire apparatus access road shall meet county requirements." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-92 Required water supply for fire protection. Section 18.3.1 is amended to read as follows: "A water supply approved by the county, capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities or buildings, or portions thereof, are hereafter constructed, or moved into or within the county. When any portion of the facility or building is in excess of 150 feet (45 720 mm) from a water supply on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the AHJ. For on-site fire hydrant requirements see section 18.3.3.

EXCEPTIONS:

1. When facilities or buildings, or portions thereof, are completely protected with an approved automatic fire sprinkler system, the provisions of section 18.3.1 may be modified by the AHJ.
2. When water supply requirements cannot be installed due to topography or other conditions, the AHJ may require additional fire protection as specified in section 18.3.2, as amended in this code.
3. When there are not more than two dwellings, or two private garages, carports, sheds and agricultural Occupancies, the requirements of section 18.3.1 may be modified by the AHJ."

[Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-93 Required installations. Section 18.3.3 is amended to read as follows: "The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on a fire apparatus access road or on the site of the premises or both, in accordance with the appropriate county water requirements." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-94 Testing. Section 18.3.5 is amended to read as follows: "18.3.5 Private water supply systems shall be tested and maintained in accordance with NFPA 25 or county requirements as determined by the AHJ." [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-95 Testing and maintenance. Section 18.3 is amended by adding a new subsection to read as follows: "18.3.7 The AHJ shall be notified whenever any fire hydrant is placed out of service or returned to service. Owners of private property required to have hydrants shall maintain hydrant records of approval, testing, and maintenance, in accordance with the respective county water requirements. Records shall be made available for review by the AHJ upon request." [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-96 Nonmetallic containers. Section 19.2.1.2.1 is amended by adding an exception at the end to read as follows: "**EXCEPTION:** Containers used by private residences for refuse pickup." [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-97 Decorative materials. Section 20.1.2.1 is amended by adding a new sentence at the end to read as follows: "A record of fire-resistant treatment shall be kept on the premises for review by the AHJ." [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-98 Amusement buildings. Section 20.1.3.2 is amended to read as follows: "An automatic sprinkler system shall be installed in all permanent and portable amusement buildings. The main water-flow switch shall be electrically supervised. The sprinkler main cutoff valve shall be supervised. When the amusement building is portable, the sprinkler water-supply system may be a temporary type, as approved by the AHJ.

EXCEPTION: An automatic sprinkler system need not be provided when the floor area of a portable amusement building is less than 1,000 square feet and the exit travel distance from any point is less than 50 feet." [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-99 Plan of exit ways and aisles. Section 20.1.4.1 is amended by adding a new subsection to read as follows: "20.1.4.1.3 A floor plan indicating the seating arrangements, location and width of exit ways and aisles shall be submitted to the AHJ for review for places of assembly with an occupant load of 300 or more persons. A copy of the plan shall be kept on display on the premises. An exit plan shall also be posted in a conspicuous location near the main entrance and shall be maintained in a legible condition by the owner or an authorized agent.

Management of the event or business shall be responsible for the inspection before each show or event of all required means of egress from each part of the building, including stairways, egress doors and any panic hardware installed thereon, aisles and corridors. Passageways and similar elements of the means of egress shall be available for immediate use and free of all obstructions before each show or event. Management shall inform all patrons of all required exit locations before each show or event in places of assembly with an occupant load of 300 or more persons." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-100 Overcrowding. Section 20.1.4.1 is amended by adding a new subsection to read as follows: "20.1.4.1.4 Overcrowding. Overcrowding and admittance of persons beyond the approved capacity of a place of assembly are prohibited. The AHJ, upon finding overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding a condition which constitutes a serious menace to life, is authorized to cause the performance, presentation, spectacle or entertainment to be stopped until such conditions or obstruction is corrected." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-101 Open flame devices and pyrotechnics. Section 20.1.4.3, Open Flame Devices and Pyrotechnics, is amended by adding item (7) to read as follows: "(7) When approved by the AHJ, open-flame devices may be used on stages or platforms, provided adequate precautions are taken to prevent ignition of combustible materials. So-called flaming sword or other like equipment shall not be used except in areas protected by an automatic sprinkler system. This shall be construed to mean that stages, platforms, dressing and storage rooms or areas used as places for the performance of flaming sword or other dance performances using fire or flame, shall be sprinklered. In addition, a suitable non-combustible net shall be

erected to prevent accidental release onto the viewing audience." [Eff JAN 0 1 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-102 Open flame devices and pyrotechnics.

Section 20.1.4.3, Open Flame Devices and Pyrotechnics, is amended by adding a new subsection (8) to read as follows: "(8) Portable heating equipment, not flue-connected, shall be permitted only as follows: Equipment fueled by small heat sources which can be readily extinguished by water, such as candles or alcohol-burning equipment (including solid alcohol) may be used provided adequate precautions satisfactory to the AHJ are taken to prevent ignition of any combustible materials." [Eff JAN 0 1 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-103 Fire drills. Section 20.2.3.2.2 is amended by adding a new exception at the end to read as follows: "**EXCEPTION:** Fire drills at high schools, middle schools and intermediate schools shall be conducted at least quarterly during school sessions." [Eff JAN 0 1 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-104 Use of school facilities for sleeping. Section 20.2.3, Operating Features, is amended by adding a new subsection to read as follows: "20.2.3.6 Use of School Facilities for Sleeping. Educational occupancies that allow sleeping on a temporary basis shall prohibit smoking or open flames and shall be provided with one of the following:

- 1 Smoke alarms shall be provided in the designated sleeping area. When the facility is provided with a fire alarm system, the smoke alarms shall be connected to the fire alarm system, or
- 2 An approved fire watch shall be provided." [Eff JAN 0 1 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-105 Manufactured housing. Section 20.11.3 is deleted in its entirety. [Eff JAN 0 1 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-106 Emergency command center. Section 20.16.1.1 is amended to read as follows: "An emergency command center room for fire department operations shall be provided in high-rise buildings. The location and accessibility of the emergency command center room shall be approved by the AHJ. The room shall

be accessible from the exterior of the building. The central control station room shall be separated from the remainder of the building by not less than a one-hour fire-resistive occupancy separation. The room shall be a minimum of 96 (9 m²) square feet with a minimum dimension of 8 feet (2438 mm). It shall contain the following as a minimum:

1. The voice alarm and public address system panels.
2. The fire department communications panel.
3. Fire-detection and alarm system annunciator panels.
4. Annunciator visually indicating the location of the elevators and whether they are operational.
5. Status indicators and controls for air handling systems.
6. Controls for unlocking all stairway doors simultaneously.
7. Sprinkler valve and water-flow detector display panels.
8. Emergency and standby power status indicators.
9. A telephone for fire department use with controlled access to the public telephone system.
10. Fire pump status indicators.
11. Schematic building plans indicating the typical floor plan and detailing the building core, means of egress, fire-protection systems, firefighting equipment and fire department access.
12. Work table.

Control panels in the emergency command center shall be permanently identified as to function.

Alarm, supervisory and trouble signals as required by Items 3 and 7 above shall be annunciated in compliance with the fire code in the emergency command center by means of an audible and visual indicator." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-107 Scope. Section 25.1.1 is amended by adding an exception at the end to read as follows: "Exception: The provisions of this chapter do not apply to tents and temporary membrane structures having an area 200 square feet and canopies having an area of 400 square feet or less." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-108 Fireworks. Section 25.1.5.5 is amended to

read as follows: "25.1.5.5 Fireworks or unapproved open flames shall be prohibited in any tent or temporary membrane structure.

Exception: Where permitted by Section 65.11." [Eff
JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-109 Application. Section 34.1.1 is amended by adding a new sentence at the end to read as follows: "Automatic sprinkler systems shall be installed in accordance with Section 13.3.2.25." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-110 Permit authorizing individual. Section 41.2.1.2 is amended to read as follows: "41.2.1.2 Management shall designate a permit authorizing individual (PAI), regardless of whether a permit is required by the AHJ." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-111 Permit authorizing individual. Section 41.2.2 is amended to read as follows: "41.2.2 Permit Authorizing Individual (PAI). In conjunction with management, the PAI shall be responsible for the safe operation of hot work activities regardless of whether a permit is required by the AHJ." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-112 Guard posts. Section 42.2.3.8.2 is amended to read as follows: "42.2.3.8.2* Guard posts or other approved means shall be provided to protect tanks that are subject to vehicular damage in accordance with section 60.1.2.13.2 as amended." [Eff
JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-113 Emergency electrical disconnects. Section 42.2.5.7 is amended by adding new sentences at the end to read as follows: "Such devices shall be distinctly labeled as EMERGENCY FUEL SHUTOFF DEVICE. Signs shall be provided in approved locations. The signs shall be in red letters on a white background, not less than two inches high, with a ¼ inch stroke." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-114 Occupancy classification. Section 42.2.6.1.1 is amended to read as follows: "42.2.6.1.1 Occupancy Classification.

The occupancy classification of a motor fuel dispensing facility that is located inside a building or structure shall be as defined in the building code." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-115 Means of egress. Section 42.2.6.1.2 is amended to read as follows: "42.2.6.1.2 Means of Egress. In a motor fuel dispensing facility that is located inside a building or structure, the required number, location, and construction of means of egress shall meet all applicable requirements for special purpose industrial occupancies, as set forth in the building code. For the intent of this section, special purpose industrial occupancies are equivalent to F-1 Occupancies as defined in the building code." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-116 Age limitation. Section 42.2.7.1 is amended by adding a new subsection to read as follows: "42.2.7.1.1 Age Limitation. Persons under the age of 15 years are prohibited from dispensing fuel." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-117 Foreign objects. Section 42.2.7.1 is amended by adding a new subsection to read as follows: "42.2.7.1.2 Foreign Objects. The placement of a foreign object(s), that allows the fuel dispensing lever to remain in the open position, is prohibited at all times." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-118 Sources of ignition. Section 42.2.7.2.5 is amended by adding a new sentence at the end to read as follows: "42.2.7.2.5.1 Adequate grounding and bonding shall be provided to prevent the accumulation of static electricity wherever Class I or II liquids are transferred or dispensed." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-119 Signs. Section 42.2.7.2.5 is amended to read as follows: "42.2.7.2.5.4* Signs. Warning signs shall be conspicuously posted in the dispensing area and shall incorporate the following or equivalent wording:

WARNING:

It is unlawful and dangerous to dispense gasoline into unapproved containers.

No smoking.

Stop motor.

No filling of portable containers in or on a motor vehicle.

Place container on ground before filling.

Discharge your static electricity before fueling by touching a metal surface away from the nozzle.

Do not re-enter your vehicle while gasoline is pumping.

If a fire starts, **do not** remove nozzle — back away immediately.

Do not allow individuals under the age of 15 years to use the pump.

The placement of a foreign object(s), that allows the fuel dispensing lever to remain in the open position, is prohibited at all times." [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-120 Latch-open device. Section 42.2.7.4.3 is amended by adding a new subsection to read as follows: "42.2.7.4.3.2 The hose nozzle valve shall not be equipped with an integral latch-open device where dispensing of Class I, II or III-A liquids is performed by someone other than a qualified attendant. The placement of a foreign object(s), that allows the fuel dispensing lever to remain in the open position, is prohibited at all times." [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-121 Latch-open device. Section 42.2.7.5.4 is amended to read as follows: "42.2.7.5. The hose nozzle valve shall not be equipped with an integral latch-open device where dispensing of Class I, II or III-A liquids is performed by someone other than a qualified attendant. The placement of a foreign object(s), that allows the fuel dispensing lever to remain in the open position, is prohibited at all times." [Eff **JAN 0 1 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-122 Materials. Section 42.3.7.3 is amended to read as follows: "42.3.7.3 Materials shall not be placed on a pier in such a manner that they obstruct access to fire-fighting equipment or important piping system control valves. Where the pier is accessible to vehicular traffic, an unobstructed roadway to the shore end of the wharf shall be maintained for access by fire-fighting apparatus in accordance with county requirements." [Eff **JAN 0 1 2010**]

(Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-123 Operations and maintenance. Section 50.5.2.1 is amended to read as follows: "Extinguishing systems shall be serviced at least every six months or after activation of the system. Inspections shall be conducted by a qualified individual as approved by the AHJ. A copy of the inspection test report shall be kept on the premises and a copy of the inspection report shall be forwarded to the AHJ within five (5) working days of completion of the required servicing and testing.

The AHJ shall be notified a minimum of four (4) working days prior to the service date by the company conducting the test. The AHJ shall be informed of the name of the business being serviced, date and time of servicing, and the company and the individual conducting the servicing." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-124 Permits. Section 60.1.2.3 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-125 Facility closure. Section 60.1.2.4 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-126 Hazardous materials management plan. Section 60.1.2.5.1 is amended to read as follows: "When required by the AHJ, the owner of buildings or facilities shall have a hazardous materials management plan (HMMP) posted on site. An example of a HMMP can be found in Annex D." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-127 Available. Section 60.1.2.5.1.2 is amended to read as follows: "Available. The HMMP shall be made available on site." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-128 Hazardous materials inventory statement. Section 60.1.2.5.2 is amended to read as follows: "When required by the AHJ, a hazardous materials inventory statement (HMIS) shall be made a part of the hazardous materials management plan. An

example of a HMIS can be found in Annex D." [Eff JAN 01 2010]
(Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-129 Protection from vehicles. The paragraph numbered 2 of Section 60.1.2.13.2 is amended to read as follows: "2. Spaced not more than 3 feet (914 mm) between posts on center," [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-130 Protection from vehicles. The paragraph numbered 5 of section 60.1.2.13.2 is amended to read as follows: "5. Located not less than 3 feet (914 mm) from the tank." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-131 Special information for permit application. Section 60.2.3 is deleted in its entirety. [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-132 Separation of occupancies of high hazard. Section 60.3.2.3 and Table 60.3.2.3 are deleted in their entirety. [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-133 Mechanical exhaust. Section 60.3.2.5.2 is amended to read as follows: "60.3.2.5.2 Mechanical exhaust systems shall comply with the building code." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-134 Supply and exhaust openings. Section 60.3.2.5.9 is amended to read as follows: "60.3.2.5.9 The location of supply and exhaust openings shall be in accordance with the building code." [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-135 Remote containment. Section 60.3.2.8.3.12 is amended by revising the first paragraph to read as follows: "60.3.2.8.3.12 Where remote containment systems are provided, drainage systems shall be in accordance with the Plumbing Code, and the following provisions also shall be met:" [Eff JAN 01 2010] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-136 Permits. Section 63.1.2 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-137 Tank vehicles. Section 63.4.13.1.2 is amended to read as follows: "Tank vehicles transporting cryogenic fluids shall not be left unattended on any residential street or within 500 feet of any residential area, apartment or hotel complex, educational, hospital or care facility at any time; or at any other place or location that would present a hazard to persons or property from fire loss.

EXCEPTION: When unattendance is necessary in connection with unloading the vehicle or servicing tanks; or when in case of accident or other emergency, the operator must leave the vehicle to obtain assistance." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-138 Seizure of fireworks. Section 65.1 is amended by adding a new subsection to read as follows: "65.1.3 The AHJ is authorized to require the owner to remove at the expense of the owner, all fireworks offered for sale, stored, or possessed in violation of Chapter 65, or other applicable state or county laws or rules." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-139 Prohibition. Section 65.1 is amended by adding a new subsection to read as follows: "65.1.4 Importation, storage, possession, sale, purchase, transfer, public displays and discharge of fireworks, shall be in accordance with chapter 132D, HRS." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-140 Permits. Section 65.9.2.2 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-141 Minors. Section 65.11.2 is amended by adding a new subsection to read as follows: "65.11.2.8 It shall be unlawful for any minor to sell, handle or give away for recompense any fireworks products." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-142 Plan. Section 65.11.4.1 is amended to read as follows: "65.11.4.1 Plan. Where required, plans for CFRS facilities shall be submitted to the AHJ." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-143 Permits and plans. Section 66.1.5 is amended to read as follows: "66.1.5 Permits and Plans. Permits, where required, shall comply with Section 1.12 and applications for permits shall be submitted with a proposed site plan." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-144 Tanks abandoned in place. Section 66.2.5.5.4 is amended to read as follows: "Tanks may be abandoned in place only if a certified structural engineer confirms that the removal of the tank will jeopardize the structural integrity of the existing building. An affidavit attesting to this determination shall be submitted to the AHJ prior to taking abandonment measures. Tanks abandoned in place shall be abandoned as follows:

1. Flammable and combustible liquids shall be removed from the tank and connected piping,
2. The suction, inlet, gage, vapor return and vapor lines shall be disconnected.
3. The tank shall be filled completely with an approved, inert solid material.
4. Remaining underground piping shall be capped or plugged, and
5. A record of tank size, location and date of abandonment shall be retained by the owner and a copy submitted to the AHJ." [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

§12-45.2-145 Manufacturing plants. Section 70.2.4.1.2.4.1 is deleted in its entirety. [Eff **JAN 01 2010**] (Auth: HRS §132-3)(Imp: HRS §132-3)

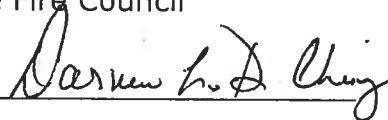
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

The repeal of chapter 12-45.1, Hawaii Administrative Rules, and chapter 12-45.2, Hawaii Administrative Rules, on the Summary Page dated 1/1/10, was adopted on 1/1/10, following a public hearing held on 10/1/09, after public notice was given in the Honolulu Star-Bulletin, and Honolulu Advertiser on 8/26/09, respectively.

The repeal of chapter 12-45.1 and the adoption of chapter 12-45.2 shall take effect ten days after filing with the Office of the Lieutenant Governor.



Chair
State Fire Council



Director
Department of Labor and
Industrial Relations

APPROVED:



Governor
State of Hawaii

Dated: 12/22/09

APPROVED AS TO FORM:



Deputy Attorney General

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OFFICE

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